

10.08.2023
(M/L 195)
Ct. No.29
Allowed
(SKB)

CRM (A) 2984 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Manikchak P.S. Case No.397 of 2023 dated 04.06.2023 under Sections 498(A)/307/323/506/34 of the Indian Penal Code.

In the matter of : Makhan Sarkar

... petitioner

Mr. Arup Kumar Bhowmick

... for the petitioner

Mr. Saswata Gopal Mukerji, Id. PP

Mr. Aniket Mitra,

Ms. Jonaki Saha

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed before us including the statement of the informant wife who is opined to have sustained minor and simple injury on her chest with tenderness of the chest.
3. There is omnibus allegation regarding the harassment and torture meted out to the informant wife as found from the FIR and statements of the witnesses. The petitioner is the husband of the informant.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed supra, the fact that there is always hope of compromise in matrimonial disputes and such compromise is always in the interest of

the family and society and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The application being CRM(A) 2984 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)